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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/581,062

05/30/2006

Susumu Kayamoto

128221

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25944

7590

11/24/2008

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ALEXANDRIA, VA 22320-4850

EXAMINER

BINDA, GREGORY JOHN

ART UNIT

PAPER NUMBER

3679

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/581,062	Applicant(s) KAYAMOTO ET AL.	
	Examiner Greg Binda	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2008 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

2. Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The last paragraph of claim 1 lacks punctuation and/or other proper connective language to present its limitations in a coherent fashion. Applicant should consider amending line 14 by replacing “including” with “, wherein”.

Claim Rejections - 35 USC § 102

3. Claims 1, 3-10, 13-15 & 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Aira et al, US 5,690,553. Figs. 1, 2 & 5 show a rubber element 5 for a compression elastic coupling including a drive flange 2 provided with a plurality of drive ribs 24 circumferentially arranged at angular intervals and a driven flange 1 coaxial with and spaced from the drive flange and provided with a plurality of driven ribs 23 circumferentially arranged at angular intervals, the rubber element being adapted to be interposed between the drive rib and the driven rib so as to be compressed when power is transmitted, comprising:

a pair of mounting metal (col. 2, line 68) plates attached respectively to a pair of rib surfaces of the drive rib and the driven rib which are circumferentially spaced and opposed to each other; and

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an elastic member 12 made of rubber (see also col. 3, line 60), the elastic member being held between the pair of mounting plates which are spaced and opposed to each other, the elastic member being mechanically bonded to joining surfaces of the pair of mounting plates;

wherein the pair of mounting plates are respectively provided with protrusions 10 protruding toward each other in central areas of the joining surfaces or lateral areas of the joining surfaces, wherein the central areas and the lateral areas of the joining surfaces extend in a direction parallel to an axis about which the flanges rotate.

4. Claims 1, 3-10, 13-15 & 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Imanaka et al, US 5,690,553. Figs. 1, 2 & 8 show a rubber element 10 for a compression elastic coupling including a drive flange 2 provided with a plurality of drive ribs 2a circumferentially arranged at angular intervals and a driven flange 4, 5 coaxial with and spaced from the drive flange and provided with a plurality of driven ribs 4a, 5a circumferentially arranged at angular intervals, the rubber element being adapted to be interposed between the drive rib and the driven rib so as to be compressed when power is transmitted, comprising:

a pair of mounting plates 11 attached respectively to a pair of rib surfaces of the drive rib and the driven rib which are circumferentially spaced and opposed to each other; and

an elastic member 12 made of rubber (see also col. 5, line 25), the elastic member being held between the pair of mounting plates which are spaced and opposed to each other, the elastic member being mechanically bonded to joining surfaces of the pair of mounting plates;

wherein the pair of mounting plates are respectively provided with protrusions 46 protruding toward each other in central areas of the joining surfaces or lateral areas of the joining

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surfaces, wherein the central areas and the lateral areas of the joining surfaces extend in a direction parallel to an axis about which the flanges rotate.

5. Claims 1, 3-10 & 13-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Sacki et al, US 5,101,952. Figs. 1-4 show a rubber element 20 for a compression elastic coupling including a drive flange 15 provided with a plurality of drive ribs 17 circumferentially arranged at angular intervals and a driven flange 11 coaxial with and spaced from the drive flange and provided with a plurality of driven ribs 12 circumferentially arranged at angular intervals, the rubber element being adapted to be interposed between the drive rib and the driven rib so as to be compressed when power is transmitted, comprising:

a pair of mounting metal (col. 4, line 47) plates 23 attached respectively to a pair of rib surfaces of the drive rib and the driven rib which are circumferentially spaced and opposed to each other; and

an elastic member 22 made of rubber (col. 4, line 46), the elastic member being held between the pair of mounting plates which are spaced and opposed to each other, the elastic member being bonded (see 'adhered' in col. 4, line 63) to joining surfaces of the pair of mounting plates;

wherein the pair of mounting plates are respectively provided with protrusions 24 protruding toward each other in central areas of the joining surfaces or lateral areas of the joining surfaces, wherein the central areas and the lateral areas of the joining surfaces extend in a direction parallel to an axis about which the flanges rotate.

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Allowable Subject Matter

6. Claims 2, 3, 11 & 12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to the rejected claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Binda whose telephone number is (571) 272-7077. The examiner can normally be reached on M-F 9:30 am to 7:00 pm with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Greg Binda/
Primary Examiner
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